

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the General Government Appropriations Committee

BILL: CS/SB 1514

INTRODUCER: General Government Appropriations Committee and Senator Baker

SUBJECT: Recreational Licenses

DATE: March 19, 2010

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|---------------|
| 1. | DeLoach | DeLoach | GA | Fav/CS |
| 2. | | | WPSC | |
| 3. | | | RC | |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |

Please see Section VIII. for Additional Information:

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|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

Chapter 2009-65, Laws of Florida, repealed the exemption that allowed Florida resident anglers to fish from the saltwater shoreline or from a structure fixed to the land without a saltwater fishing license. The legislation establishes a \$7.50 fee for a shoreline license. This bill eliminates the \$7.50 shoreline license fee and retains the 50-cent compensation to subagents for services.

The bill reduces annual revenue to the Marine Resources Conservation Trust Fund within the Fish and Wildlife Conservation Commission (commission) by an estimated \$900,000.

This bill substantially amends sections 379.3511, 379.352, and 379.354, Florida Statutes.

II. Present Situation:

The 2006 Congressional reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) created a registry program for all federally managed fish species. Recreational fishermen fishing in federal waters and those fishing for anadromous species, which spawn in freshwater and live in saltwater, are required to register. The registry program was mandated to assist in data collection with statistical surveys and evaluating the effects of

proposed conservation and management measures. Species in Florida include striped bass and shad (anadromous), king fish, gag or black grouper, mangrove or mutton snapper, and Spanish mackerel. Congress directed the U.S. Department of Commerce to complete the registry program and implement an improved statistical survey no later than January 1, 2010, and authorized a fee to be charged not before January 1, 2011. It was estimated that the federal registry fee would be \$15 to \$25. Federal law allowed for an exemption to the federal registry and license requirement in states with an approved licensing system.

Florida resident anglers fishing from the saltwater shoreline or from a structure fixed to the land have been exempt from purchasing a state saltwater fishing license since its inception in 1989. According to the commission, officials from the National Marine Fisheries Service within the Department of Commerce indicated that Florida's shoreline exemption would prohibit its license system from being approved, thus requiring the federal registration for Florida anglers.

Chapter 2009-65, L.O.F., repealed the exemption that allowed Florida resident anglers to fish from the saltwater shoreline or from a structure fixed to the land without a saltwater fishing license. Residents who fish using a cane pole or who are eligible for food stamps, temporary cash assistance, or Medicaid programs remain exempt. In addition, certain residents exempted from saltwater fishing license requirements, including those 65 or older, younger than 16, and the disabled, retain the exemption. Chapter 2009-65, L.O.F., also established a shoreline fishing license that allows any resident to saltwater fish from land or from a structure fixed to the land. The price for the license is \$7.50 plus an issuance assessment of up to \$2. In comparison, a resident saltwater fishing license is \$15.50 plus the up to \$2 issuance assessment. As a result of the revised license requirements, the commission was notified in December 2009 that Florida's licensing system met the federal angler registry exemption requirement.

The Fiscal Year 2009-2010 General Appropriations Act (2009-81, Laws of Florida) included appropriations supported by revenue generated from repealing the shoreline exemption. Trust fund appropriations to the commission were increased by \$900,000 and general revenue appropriations were decreased by the same amount. This increase in trust fund spending authority supported by the shoreline fishing license revenue allowed the commission to maintain the existing level of marine research efforts with reduced general revenue funding.

III. Effect of Proposed Changes:

This bill amends sections 379.3511, 379.352, and 379.354, F.S., to eliminate the \$7.50 shoreline fishing license fee for Florida resident anglers who fish from the saltwater shoreline or from a structure fixed to the land. The subagent may retain 50 cents as compensation for services provided. The Senate budget includes resources to offset the resulting loss of revenue to the commission and to support administrative overhead, including the compensation for subagent services.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Florida resident anglers who fish from the saltwater shoreline or from a structure fixed to the land will not be required to pay a \$7.50 fee for a shoreline fishing license. According to the commission, approximately 120,000 licenses were anticipated to be purchased during the 2009-2010 fiscal year.

C. Government Sector Impact:

Annual revenue in the Marine Resources Conservation Trust Fund within the Fish and Wildlife Conservation Commission is reduced by an estimated \$900,000. This revenue supports marine fisheries programs within the Fish and Wildlife Research Institute. The proposed Senate budget for the 2010-2011 fiscal year includes \$1,140,000 in recurring general revenue to support the ongoing operations of the commission and the administrative overhead costs of issuing the shoreline fishing license, including compensation for subagent services.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by General Government Appropriations Committee on March 19, 2010:

This committee substitute eliminates the \$7.50 shoreline fishing license fee for Florida resident anglers who fish from the saltwater shoreline or from a structure fixed to the

land. The committee substitute provides that the subagent may retain 50 cents as compensation for services provided.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
